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RUEHBY/AMEMBASSY CANBERRA 3095  
RUEHLM/AMEMBASSY COLOMBO 1332  
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RUEHNE/AMEMBASSY NEW DELHI 2275  
RUEHOT/AMEMBASSY OTTAWA 1402  
RUEHUL/AMEMBASSY SEOUL 4954  
RUEHTC/AMEMBASSY THE HAGUE 3435  
RUEHKO/AMEMBASSY TOKYO 2544  
RUEHWL/AMEMBASSY WELLINGTON 3118  
RUEHBAD/AMCONSUL PERTH 1163  
RUEHHK/AMCONSUL HONG KONG 2993  
RUEAIIA/CIA WASHDC  
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C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 001825

SIPDIS

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SUBJECT: MUNIR CASE -- TESTIMONY CONTINUES IN CASE OF  
MURDERED HUMAN RIGHTS ACTIVIST

REF: JAKARTA 1758 AND PREVIOUS

Classified By: Pol/C Joseph L. Novak, reasons 1.4(b+d).

¶1. (C) SUMMARY: In September 23 testimony, a witness offered evidence linking the former head of Indonesia's main intelligence agency (BIN) to the 2004 murder of human rights activist Munir. Testifying at the trial of a former BIN official, the witness talked about how the former head of BIN allegedly chaired meetings at which the murder plot was hatched. Despite this dramatic testimony, observers agree that more evidence is needed to link the former spy chief to the plot. Meanwhile, the defense team claims that a key witness has recanted his testimony, which if true could hurt the prosecution's case. END SUMMARY.

MORE TESTIMONY IN KEY TRIAL

¶2. (C) There has been important testimony in the trial of former BIN official Muchdi Purwopranjono for the murder of human rights activist Munir Said Thalib. (Note: For further details re the Munir case--see reftels.) Testifying in South Jakarta District Court, Usman Hamid, a member of the 2004 Fact Finding Team appointed by President Yudhoyono to investigate the shocking murder, revealed that the team acquired a key document from a BIN agent. This document detailed how A.M. Hendropriyono, the former chief of BIN, was allegedly at the heart of the scheme to kill Munir. POL FSN attended the proceeding.

TANGLED BUT COMPELLING CLAIMS

¶3. (C) The details of the testimony are a bit tangled, if compelling. According to John Muhammad, Hamid's colleague at the human rights organization Kontras, a BIN agent named "Ucok" gave the document to the head of the team, Brigadier General Marsudi Hanafi. Muhammad provided DepPol/C with a copy of the document which was presented to the court as evidence. According to Muhammad, several BIN officials have "good intentions" and want to reveal BIN's role in the murder. They therefore leaked detailed information about the plot to the Fact Finding Team. Police investigators also

have confirmed to DepPol/C that several current and former agents have provided police with crucial evidence linking other former BIN officials.

14. (C) The March 2004 document states that then spy chief Hendropriyono held a series of meetings with senior BIN officials at which different murder plots against Munir were discussed. These included: tampering with his car to cause an accident; poisoning; and using black magic. The document details different scenarios considered, such as preparations to poison Munir in a hospital.

15. (C) In March 2004, Hendropriyono met with four BIN deputies to plot the murder, the document claims, listing four deputies who attended the meeting: Muchdi, M. As'ad, Wahyu Saronto and Manunggal Maladi. The Muchdi team succeeded--the document outlines the plot used to murder Munir, one which closely matched the actual murder scenario in which off-duty pilot Pollycarpus Priyanto poisoned Munir at a Singapore airport coffeeshop in September 2004. (Note: Priyanto was convicted for the murder and is now incarcerated.)

16. (C) Other meetings were outlined in the document as well, including a meeting between Hendropriyono and Muchdi at which Muchdi brought a medical doctor from Army Special Forces (KOPASSUS), who explained how to use liquid poison. "They agreed that Munir should be finished off by poisoning his food or drink," the document stated. Other activities narrated in the document included a BIN agent visiting

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Munir's office to find out what Munir liked to eat and drink.

17. (C) According to Muhmammad, several BIN agents are sympathetic to uncovering BIN's role in the Munir case and have provided information linking Muchdi to the murder. Former BIN Deputy As'ad and current agent Budi Santoso have both provided affidavits linking Muchdi. However, these witnesses are reluctant to testify. Both failed to appear in court in September despite being listed as prosecution witnesses. As'ad is under police protection and might appear on the stand in October, Muhammad told DepPol/C. Appointed to BIN by former President Abdurrahman Wahid (AKA Gus Dur) to help bring BIN under civilian oversight, As'ad is considered a reformer.

#### KEY WITNESS REPORTEDLY RECANTS

18. (C) There are reports that a key prosecution witness has recanted his testimony. Budi Santoso, a BIN agent currently assigned to the Indonesian Embassy in Islamabad, failed to appear when called in early September. On September 25, Muchdi's defense lawyers claimed that they received a letter signed by Santoso retracting his written testimony. However, the letter does not have an official stamp or signature from the Indonesian Ambassador to Pakistan required for it to be valid. Muchdi's prosecutors said a letter is not a valid means to retract testimony. Judges said they would decide in October whether the request is valid.

#### MORE EVIDENCE NEEDED TO LINK FORMER SPY CHIEF

19. (C) Despite this dramatic testimony, observers agree that more evidence is needed to link the former spy chief to the plot. Hendropriyono was a career KOPASSUS officer for 20 years, serving as Jakarta Military Commander in 1993, as Minister of Transmigration in 1998 under President Habibie, and as BIN director in 2001 under President Megawati, with whom he maintains close ties. The National Human Rights Commission is investigating Hendropriyono in relation to the 1989 killings in Talangsari, Lampung region, Sumatra. Hendropriyono was regional commander in Lampung at the time when over 200 villagers were killed by his forces. He claimed they were fighting a radical Muslim sect while others maintained the issue was a land dispute.

¶10. (C) Hamid's testimony provided further circumstantial evidence against Muchdi, which will need to be backed up by BIN witnesses. It was also significant in that it shed further light on Hendropriyono's possible involvement. The Fact Finding Team had investigated Hendropriyono but he refused requests to meet with the team. According to Muhammad, the only way to prove Hendropriyono's involvement would be for a senior BIN witness to come forth, As'ad being one such potential witness. Muchdi would be unlikely to turn on his former boss. It is unclear whether the police are investigating Hendropriyono.

HUME